

Message Text

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DRAFTED BY L/EA:OTJOHNSON:EA/J:JWCAMPBELL:MJA

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P R 212258Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO PRIORITY

INFO AMEMBASSY SAIGON

AMEMBASSY PHNOM PENH

AMEMBASSY VIENTIANE

USDEL JEC PARIS

CINCPAC HONOLULU HI

DOD

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E.O. 11652: GDS

TAGS: MARR PINR JA

SUBJECT: INQUIRY RE RECONNAISSANCE FLIGHTS OVER
CAMBODIA AND NVN

1. ON INSTRUCTIONS FROM TOKYO JAPANESE EMBOFF (ITO)
SUBMITTED FOLLOWING QUESTIONS FOR POSSIBLE GOJ USE
IN DIET. DISCUSSION WITH DEPT REPS COVERED PREVIOUSLY
PREPARED RESPONSES.

2. Q. WHAT IS LEGAL GROUND FOR US RECONNAISSANCE
FLIGHTS OVER CAMBODIA, PARTICULARLY WITH REGARD TO
ARTICLE 20 OF THE PARIS AGREEMENT AND ALSO WITH REGARD
TO EXISTENCE OR NON-EXISTENCE OF REQUEST BY
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CAMBODIAN GOVERNMENT (GOC)?

3. A. US RECONNAISSANCE FLIGHTS OVER CAMBODIA HAVE BEEN AND ARE BEING CONDUCTED WITH CONSENT OF GOC. FURTHERMORE, ARTICLE 20 OF PARIS AGREEMENT DOES NOT PRESENTLY BAR SUCH OPERATIONS. IN THAT ARTICLE, PARTIES TO PARIS AGREEMENT AGREED TO WITHDRAW THEIR FORCES FROM CAMBODIA AND TO CEASE THEIR MILITARY ACTIVITIES THERE. IT WAS UNDERSTOOD BY THE PARTIES THAT TIMING OF BOTH WITHDRAWAL OF FORCES AND CESSATION OF MILITARY ACTIVITIES WOULD DEPEND ON HOW QUICKLY CEASEFIRE COULD BE ESTABLISHED IN CAMBODIA. WAS ALSO UNDERSTOOD THAT PARTIES TO THE AGREEMENT WOULD DO THEIR BEST TO BRING ABOUT AN EARLY CEASEFIRE IN CAMBODIA. NOT ONLY HAVE NORTH VIETNAMESE FORCES FAILED TO WITHDRAW FROM CAMBODIA BUT COMMUNIST FORCES IN THAT COUNTRY HAVE SHOWN NO WILLINGNESS EVEN TO NEGOTIATE A CEASEFIRE. UNTIL SUCH TIME AS PARTIES IN THE CAMBODIAN CONFLICT ARRIVE AT CEASEFIRE ARRANGEMENT, THE US IS NOT OBLIGED BY ARTICLE 20 OF THE AGREEMENT TO CEASE ITS MILITARY ACTIVITIES IN THAT COUNTRY.

DEPT REP DID NOT COMMENT ON POSSIBILITY OF US RECONNAISSANCE OVER CAMBODIA AFTER CEASEFIRE, EXPLAINING THAT SITUATION WHICH MIGHT PREVAIL IN CAMBODIA AND INDOCHINA AT THAT TIME IS SO UNCERTAIN THAT ANY COMMENT ON POSSIBLE USG POST-CEASEFIRE ACTIVITIES WOULD NOT BE USEFUL.

4. Q. DOES USG ADMIT A CLAIM BY NORTH VIETNAMESE GOVERNMENT (DRVN) THAT US MILITARY PLANES ENTERED NORTH VIETNAMESE AIRSPACE TWICE ON AUG 14 TO MAKE RECONNAISSANCE FLIGHTS? IF USG ADMITS THIS CLAIM BY THE DRVN, WHICH WAS MADE PUBLIC IN FORM OF A STATEMENT BY DRVN FONMIN SPOKESMAN ON AUG 16, WHAT IS LEGAL EXPLANATION OF USG RE SUCH FLIGHTS OVER NORTH VIETNAMESE TERRITORY, PARTICULARLY IN VIEW OF ARTICLE I PARIS JOINT COMMUNIQUE OF JUNE 13?

5. A. THE US IS NOT CONDUCTING RECONNAISSANCE LIMITED OFFICIAL USE

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FLIGHTS OVER NORTH VIETNAMESE TERRITORY.

ROGERS

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NNN

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